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SENATE BILL 2850

By Cooper J

AN ACT to repeal Chapter 141 of the Private Acts of 1983, and all other acts amendatory thereto, to divide Grundy County into school districts, and to provide for the number, election, and terms of members of the Grundy County Board of Education.

WHEREAS, the county legislative body of Grundy County has reapportioned itself into three (3) districts of substantially equal population, with three (3) county commissioners to be elected from each district; and

WHEREAS, the Grundy County Board of Education was established by Private Act; and

WHEREAS, following the enactment of the Education Improvement Act of 1992, in order to conform to the general law, the at-large member of the Board of Education was eliminated and staggered four (4) year terms of office were implemented, but Chapter 141 of the Private Acts of 1983 was not amended; and

WHEREAS, the present Grundy County Board of Education consists of six (6) members elected from six (6) school districts, with three (3) members' terms expiring in September 2002, and three (3) members' terms expiring in September 2004; and

WHEREAS, the county legislative body of Grundy County desires that Grundy County be divided into three (3) school districts coextensive with the county commissioner districts established by resolution and that three (3) members of the Board of Education be elected from each district; and

WHEREAS, the county legislative body of Grundy County desires to continue staggered four (4) year terms as required by Tennessee Code Annotated, Section 49-2-201, so that every two (2) years the terms of approximately one-half (1/2) of the members of the Board expire; and

WHEREAS, to preserve the present members' terms to which they were elected, the members from present Districts 2 and 4 (1990 census), whose terms expire in September 2004, shall serve new District 2 (2000 census) and the member from present District 6 (1990 census), whose term also expires in September 2004, shall serve new District 3 (2000 census) until the end of their terms; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 141 of the Private Acts of 1983, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Grundy County shall be divided into three (3) school districts of substantially equal population, which shall be coextensive with the three (3) county commissioner districts as established by resolution of the county legislative body of Grundy County.

SECTION 3. The Grundy County Board of Education shall consist of nine (9) members. Three (3) members of the Grundy County Board of Education shall be elected by the qualified voters in each school district. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of approximately one-half (1/2) the members of the Board shall expire. Persons elected in the regular August elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. The current terms of incumbent members of the Grundy County Board of Education who represent present Districts 2, 4, and 6 (1990 census) and who were elected to serve until September 2004 shall not be cut short as a result of changes in the school districts as provided in this act. In order to establish staggered four (4) year terms and to increase the number of board members from six (6) to nine (9), board members shall be elected as follows: At the August 2002 elections, three (3) board members shall be elected from District 1 with the two (2) candidates receiving the highest number of votes being elected to serve four (4) year terms and the candidate receiving the third highest number of votes being elected to serve a two (2) year term; one (1) board member shall be elected from District 2 to serve a four (4) year term; and two (2) board members shall be elected from District 3 each to serve a four (4) year term. At the August 2004 election, one (1) board member shall be elected from District 1, two (2) board members shall be elected from District 2, and one (1) board member shall be elected from District 3, all to serve four (4) year terms. Thereafter, board members shall be elected to staggered four (4) year terms as the term of each respective board member expires.

SECTION 5. The Grundy County Board of Education shall have the same powers, duties, privileges and qualifications as other county boards of education established pursuant to Title 49.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application and to that end the provisions of this act are declared to be severable.

SECTION 7. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Grundy County Board of Commissioners. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Grundy County and certified to the secretary of state.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.